State	IR Memo Section	Comment
KY	ATTAINS – 106	On page 15, the second full paragraph states: "For state water quality impairment data to be used in the CWA Section 106 grant allocation formula, the data needs to be available to the public in ATTAINS by September 1, 2016 for the water quality impairment data to be used in the CWA 106 grant allocation formula", then goes to state" "To support the formula update, EPA will use the most current and complete assessment results from States available to the public in ATTAINS". the Division requests clarification on both statements. The draft memo does not indicate what procedures are in place should ATTAINS, which will not be available until Spring 2016, does not contain state data by September 1, 2016, nor does it indicate how recent data must be in order to meet the "most current and complete assessment results" requirement (for example, will EPA default to the current located in a db or provided in the 2016 IR?). The Division anticipates that 2014 data will be available in ATTAINS by September 1, 2016, but is uncertain of whether that will meet the "most current and complete assessment results" expected
ME	ATTAINS – 106	Comment from Maine Department of Environmental Protection: please clarify which 'data' (in last sentence in this paragraph). Is it the latest available data (i.e. whichever year) as suggested in the yellow bit earlier in this paragraph? Given that this is the 2016 IR memo, it could be interpreted to mean the 2016 data.
MT	ATTAINS – 106	Section 4 – Use of Water Quality Impairment Data to Update the Variable Portion of the Fiscal Year 2017 Clean Water Act Section 106 Grant Allocation Formula We suggest deleting sentence 5 from the second paragraph (page 15, "For each of the 6..."); it does not add any clarifying information. Simply, WQ impairments factor as 35% of 106 funding allocation formula, that data comes from the state's 305(b)/303(d) assessments, and the most current and complete cycle data in ATTAINS will be used. Get your data in!
Region 1	ATTAINS – 106	**Ex. 5 - Deliberative**
MO	ATTAINS – 106	This appears to be an EPA process more than a state function. However, it directly involves states in item 5 below. Overall, it can be perceived that if states do not place waters within Category 4C (impaired water) as discussed, not doing so could potentially impact the amount of Section 106 grant funding the state receives because it will not be captured under any of the listed Section 106 grant allocation formula components.

IN	ATTAINS – 106	The statement on p. 15 that "EPA will use the most current and complete assessment results from States available to the public in ATTAINS" to support the formula update for CWA Section 106 funding needs some clarification with regard to states with 303(d) lists for one or more cycles still not approved. There is currently no mechanism by which U.S. EPA notifies states when their Integrated Report data are entered into ATTAINS, and when one visits the ATTAINS site online, it appears to reflect the state of U.S. EPA 303(d) approval rather than the most current data submitted. For example, Indiana submitted its 2014 IR to U.S. EPA on April 1, 2014, yet the most current data on U.S. EPA's ATTAINS website for Indiana is 2010, which corresponds to the most currently approved 303(d) list of record for Indiana. ATTAINS data entry does not appear to occur until U.S. EPA reaches its decision on a state's 303(d) list, which means that the formula update is in fact tied to the data contained in the most recently approved 303(d) list. Given the importance of impaired waters to the CWA Section 106 funding allocation, U.S. EPA should clarify the relationship between states' 303(d) list approval, ATTAINS and how they are used to determine it.
AK	ATTAINS – Redesign	3. The guidance describes the anticipated future reporting mechanisms which will hopefully streamline submittal of the Integrated Report (pages 12-14). EPA intends on using geospatial data to develop and publish the National Water Quality Report to Congress. The guidance should recognize that the availability of data in Alaska is limited, hampering reporting abilities.
GA	ATTAINS – Redesign	Regarding the ATTAINS redesign, the first bullet on page 14 states that the development of the pilot system will not be complete until spring of 2016. The draft solicitation notice for the 2016 EN Grant (found at http://www.echangenetwork.net/) states the final schema and flow configuration document will not be completed until Spring 2017. Georgia EPD is concerned that there will not be sufficient time for States with their own databases to work with contractors to make the necessary changes to their databases to meet the new schema and flow configuration by 2018, since work should not begin until the schema and flow configuration are finalized. Additionally, the draft IR guidance does not address whether EPA planning to transfer IR data from States that are currently using ADB to the new cloud based ATTAINS system. While the 2016 IR Guidance document may not be the place to go into detail about 2018 IR requirements, these issues do need to be addressed somewhere and they should be addressed soon to allow States time to plan. The movement to the new ATTAINS will likely to be a challenge for many States and time will be needed to learn how to use the new system. While States may be able to get the 2018 IR into the new ATTAINS system, it will likely slow down submission for 2018 and increase the number of States who are unable to meet the April 1, 2018 deadline.
MO	ATTAINS – Redesign	No additional comments. The department understands the importance of this item and routinely submits data and geospatial information electronically to EPA. We also appreciate the opportunity to participate and provide input in the redesign workgroup discussions.
AK	ATTAINS – Surveys	4. The guidance states that "statewide" statistical surveys should be included in the Integrated Report (page 14). Alaska does not complete statewide surveys, we complete region wide surveys. The guidance should include a recognition of Alaska's unique situation. Also, EPA's National Aquatic Resource Surveys (NARS), the national statistical surveys, are not designed to provide statistically relevant data on a statewide basis. States may enhance their surveys to provide for a statewide survey, but not all states have the resources to do this. Clarify if the guidance is asking States to report on data collected as part of the national surveys or only States that completed an enhancement leading to a statewide survey.
GA	ATTAINS – WQF	The first paragraph under the section "B. Water Quality Framework: ATTAINS Redesign" is nearly identical to the paragraph above it. One of the paragraphs should be removed.

KY	ATTAINS – WQF	page 12, B. of the WQF: ATTAINS Redesign, the first paragraph is the same as the last paragraph in Section A.
MT	ATTAINS – WQF	Section 3 – Implementation of the Water Quality Framework: Assessment and Total Maximum Daily Load (TMDL) Tracking and Implementation System (ATTAINS) A. Water Quality Framework – this is unnecessary for (i.e., unrelated to) the IR guidance. B. ATTAINS Redesign – take home message: states must use ATTAINS for 2018 reporting. C. Statewide Statistical Surveys – good section and guidance; short and concise.
AK	Category 4C	5. The guidance provides clarification on the assessment and assignment of waters to Category 4c (pages 15-18). The examples provided include effects of hydrologic alteration or habitat alteration. Impacts from invasive species should also be listed as a common example.
GA	Category 4C	In Section 5. "Clarification of the assessment and assignment of waters to Category 4C", EPA encourages States to use Category 4c to list waters impaired by pollution (such as hydrologic alteration) instead of pollutants. The end of the first paragraph on page 16 states "…EPA is clarifying previous guidance about the assessment and categorization of waters into Category 4C when a State demonstrates that the failure to meet an applicable water quality standard is not caused by a pollutant, but instead is caused by other types of pollution". The guidance does not provide much detail as to what the State needs to provide to adequately "demonstrate" that the impairment is caused by pollution rather than a pollutant. For instance, in the case where the fish community is impaired, the State may be able to determine that poor habitat is a cause of the impairment, but how does EPA expect the States to demonstrate that there are no pollutants contributing to the cause. States could be expected to investigate likely suspected pollutants, but how could it demonstrate that the biological impairment wasn't caused by emerging pollutants that a State does not know to test for and for which no criteria exist. Will EPA place a higher burden on States moving a water initially placed in Category 5 (due to the fact that initially it was not known if the impairment was caused by a pollutant or pollution) to Category 4c since this would be considered to be a delisting? The concern is that Category 4c could become as burdensome as Category 4b is to use in some Regions. Finally toward the top of page 18, the Draft IR Guidance states that for waters in Category 4c "… EPA continues to expect regular monitoring to occur when samples can be collected and continued identification of potential pollutant impairments for listing in Category 5". How frequently does EPA expect a State to monitor a water in Category 4c and for what types of parameters. If a State puts many waters into Category 4c, then "regularly monitoring" them could become a burden and restrict other types of monitoring the State needs to do to meet other priorities such as the development of nutrient criteria, BMP effectiveness, gathering data needed for TMDLs, probabilistic monitoring, etc. In summary, more detail about what EPA means by "demonstrating" that an impairment is not caused by a pollutant would be helpful along with more information about what constitutes "regular monitoring".

MT	Category 4C	We question using the Integrated Report to attempt "tracking" climate change issues. In the western US, water law provides for (directs - i.e., "use it or lose it") the use of water in ways that may be adverse to other beneficial uses; however, it is allowed and protected under most western state's (at least Montana's) water law. Montana's Water Quality Act provides direction on water quality assessments, listings, TMDLs, and restoration activities and ends with a section that explicitly bares us from using assessments, listing, TMDLs, and restoration to "divest, impair, or diminish any [recognized] water right". For Montana, there is little remedy for a hydrologic alteration (i.e., low flow/dewatering) listing aside from discussing diminished stream flow and how it (may) relate to other water quality/beneficial use issues. We provide suggestions on how stream flow may be improved but it is up to local stakeholders working with affected water users to find ways to improve flow conditions while not harming a water right. Additionally, we feel that use support and cause listing decisions should be supported with sufficient valid, rigorous, and current data. States should have a clear policy on the use of secondary data and data validation for use support/listing decisions. Adding an impairment listing using solely "BPJ" and/or visual assessments does not "clear the bar" for sufficient, valid, and rigorous data. Use impairment listings should be made in a manner that allows for the development of meaningful and implementable TMDLs and restoration plans.
MT	Category 4C	Because of western water law, most hydrologic alteration (low flow/dewatering) listings need a much higher bar than what EPA is proposing. Many states do not have the resources to address this topic as a standalone issue, but do try to address it via comprehensive planning. The guidance does not adequately address Montana's state water law or federal clean water act language provided in CWA section 101g: "It is the policy of Congress that the authority of each State to allocate quantities of water within its jurisdiction shall not be superseded, abrogated or otherwise impaired by this Act. It is the further policy of Congress that nothing in this Act shall be construed to supersede or abrogate rights to quantities of water which have been established by any State. Federal agencies shall co-operate with State and local agencies to develop comprehensive solutions to prevent, reduce and eliminate pollution in concert with programs for managing water resources."
MT	Category 4C	On the last sentence of page 17 we recommend making the following change: "Therefore, the EPA recommends that where determined appropriate by an individual State, the State collect and report information relevant to whether the designated use is impaired or threatened even when chemical, physical, or biological field samples cannot be obtained."

MT	Category 4C	Category 4C (page 18) the second to last sentence states: "In order to simplify and clarify the identification of waters impaired by pollution not caused by a pollutant, States may create sub-categories in Category 4C to distinguish such waters." 4C is already sub-category of category 4 that contains waters only impaired by non-pollutants (i.e., pollution); creating additional categories under 4C seems unnecessary.
NE	Category 4C	I've also noticed the 4c category doesn't mention impairments due to natural causes which is another one of our priorities for Selenium impairments. Is this simply an oversight where EPA assumed that everyone already knows 4c can be used for naturally impaired waterbodies or is this a change where EPA will no longer accept the natural impairment justification for utilizing 4c? Nebraska already has several Se impairments in 4c and is working on a state-wide document to justify moving the rest of our Se impairments after the next IR.
MO	Category 4C	The department believes the placement of waterbodies into Category 4C should be emphasized as an option for states, not a requirement. An impairment decision based solely on observation will not be considered an acceptable assessment method to the department or its many stakeholders. The department also believes a waterbody should be placed in Category 4C only when sufficient information is available (e.g. gage or flow data, a flow record of at least 20-30+ years) and statistical analyses to determine or predict the frequency of "no flow, low flow, or extremely high flow" a across a historical period of record are also available. These analyses are especially important in the absence of major water user information or measureable habitat protocol. Water quality assessment procedures will need to clearly outline how a water body will be assessed as not meeting water quality standards. Visual observations are not enough evidence to scientifically support a nonattainment decision or determine if the no, low flow or high flow occurrence(s) is due to chance or caused by anthropogenic activities. Currently, with the lack of specific information, the state places these types of waters into Category 3B, noting there are potential habitat concerns. These waters are generally placed as a lower priority for follow-up monitoring. In addition, many activities relating to habitat degradation or changes to stream flow regimes may be a result of federally (e.g. U.S. Army Corps of Engineers, Natural Resource Conservation Services) or locally approved, permitted, and or supported/funded activities. The state would like to understand the implications of the placement of waters into Category 4C on MS4 permit requirements. In addition, the department does not believe that because a water body has unnatural low flow, no flow or stand-alone pools that prevent sampling justifies placing the water body into Category 4C, unless this condition persists and sufficient data exists to support an "impairment due to pollution not caused by a pollutant". Lastly, the recommendation of moving waters into the Category 4C appears to be preferred over completing a Use Attainability Assessment (UAA), where a waterbody may not be impaired but due to a true lack of attainability based on a UAA factor (e.g., low-flow conditions or hydrologic modification).
IN	Category 4C	Indiana welcomes the additional information this guidance provides regarding the use of Category 4c.

CT	Category 4C	Assessment of water impaired by pollution not caused by a pollutant: The draft guidance indications that states should collect and report information about a threatened or impaired use even when chemical physical or biological field samples cannot be obtained. This is reasonable. However, EPA should keep in mind that the level of data to remove a water from the list should be consistent with the level of data to place that waterbody on the list, in whatever capacity. At times, there seems to be a discrepancy between the data required to list and that required to delist.
MT	General Comment	There is much redundancy in the memo. Statements and whole paragraphs are repeated, which expands the document and makes the reading and digesting of the guidance more difficult. It could be shortened by making statements only once. That would improve its readability.
NM	N/A	NMED SWQB reviewed the draft 2016 IR guidance and have no specific comments to submit. Unfortunately our 2016 Assessment Protocols had to be finalized already (https://www.env.nm.gov/swqb/protocols/) in order to keep to our 2016 IR submission schedule, but there is nothing in NM's final 2016 APs that are in conflict with the draft 2016 IR guidance.
SD	N/A	no comments
MO	N/A	The department believes the timeliness of the distribution of the draft 2016 IR Guidance Memo was provided too late in the 2016 Section 303(d) assessment cycle. Missouri has already completed approximately 80% of our 2016 303(d) water quality assessments. The IR Guidance should be drafted one cycle prior to the current 303(d) listing cycle to prevent states from having to stop and adjust their assessment process mid/late cycle. Please keep in mind that it takes some states approximately two years to complete their listing cycle. For Missouri, this includes a three month data/information solicitation period, uploading and conducting quality control checks of all available data, completing statewide assessments, providing a 90-day public notice period, responding to public comments, and gain state/agency approval through the department and Missouri Clean Water Commission before submitting to the U.S. Environmental Protection Agency (EPA), Region 7 by the April 1 deadline. Early distribution of the draft IR guidance will allow states to develop comprehensive and defensible IR's in accordance with federal deadlines.
MT	Nutrients	Section 2 – Continue identifying waters impacted by nutrients for the Section 303(d) list for States without numeric nutrient water quality criteria This does not seem to be necessary and unduly expands the guidance document. The March 2011 Memorandum and 2014 IR Guidance speak at length on this issue and all you are really saying in the 2016 Guidance Memo is "keep doing this, it is important to us."
MO	Nutrients	No additional comments. The department has used alternative methods for assessing nutrient impacts in the past and will continue to do so (e.g. low dissolved oxygen, aquatic life impacts, narrative criteria, etc.).
AK	Vision	1. The 2016 reporting guidance (pages 2-4) requires the states identify their long-term Clean Water Act 303(d) Program priorities through fiscal year 2022. The guidance requests that the report should include or reference this information, including the rational used to set long term priorities. The guidance also suggests using the Integrated Report public notice process to engage the public in establishing priorities. The guidance requests priorities be described for those waters on the 303(d) lists. DEC completed, and EPA approved, the long term strategic plans for both the Non-Point Source Program and the 303(d) Program in May 2015. These plans outline program goals until 2020. The guidance should be revised to recognize plans already in place and only request comment for updates to those plans. It should also be revised to reflect that some waters on the 303(d) list may be a lower priority than waters in need of protection. As such, any strategies may not include specific actions for low priority impaired waters.

GA	Vision	The second paragraph under the "Prioritization Goal" on Page 2 states that "Regardless of the way a State defines its priorities, the priorities should be articulated in a manner that allows them to be linked to specific assessment units". In most cases it will be possible to a State to link its priorities to specific assessment units. However, it will not always be feasible. For example, Georgia is planning to choose one of its priorities to be the Ochlockonee River Basin (which includes a number of HUC 8s). We are choosing this basin based on an impairment in Florida (Lake Talquin), which is impaired for nutrients. Georgia is going to develop a plan to address nutrients in the Ochlockonee River Basin in Georgia in order to protect downstream water uses in Florida. It would not be appropriate for Georgia to list Florida's assessment unit(s) for Lake Talquin in its priorities. EPA has stated that States will have a lot of flexibility in choosing their priorities. EPA needs to ensure that methods to select priorities and report measures are also flexible. GA EPD suggests that the sentence be modified to reflect this flexibility. Perhaps a second sentence could be added that "If priorities cannot be linked to assessment units, the States are to work with the EPA Regional offices to determine how the priorities are to be reported".
GA	Vision	The section "Distinction between the Vision Long-term Priorities and the Required Priority Ranking of Listed Waters" starting on Page 4 focuses on the priority ranking of waters for TMDLs. EPA allows States to satisfy this requirement by either providing a ranking of "high, medium, or low" or by providing a TMDL schedule date. Georgia has chosen the second option and for each water on the 303(d) list, we provide a year by which we will draft the necessary TMDL(s). This section of the IR memo focuses only on providing a narrative ranking of high/medium/low and should be updated to reflect that some states are providing a schedule for each waterbody/pollutant combination on the 303(d) list. In addition, the second bullet in this section says that "…EPA expects that the required priority ranking, including the two-year TMDL development schedule, is related to and likely to be consistent with the Vision long-term priorities from FY 2016 to FY 2022". This implies that a water on the priority list should have a ranking of "high" or an earlier TMDL schedule date than a water that is not on the priority list. Georgia EPD does not believe that the inclusion of a water on the priority list necessarily means that the TMDL will be completed more quickly than it would for a water that is not on the priority list. Georgia EPD chose its priorities in part based on where we are planning to spend most of our resources in the coming years (not where we think we will get the TMDLs done the quickest). Many of the waters Georgia chose to be part of our priorities were those with active stakeholders and/or with more complicated issues. The TMDLs (or alternative plans) for these waters often take us longer to complete than for those waters where the issues are less complicated and where there are not active stakeholders. That being said, we do intend to have all the TMDLs or TMDL alternatives for waters on our priority list completed by 2022. The language in this section needs to be modified to remove or soften phrases like "EPA expects" to provide more flexibility and to acknowledge that States did not always chose priorities based on how quickly TMDLs would be done for waters on the priority list versus waters not on the priority list
PA	Vision	We support the 303(d) Program vision for setting long-term priorities and evaluating progress toward those long-term goals on a recurring basis. The program also needs to be flexible enough to accommodate shifts in priorities based on new information, regardless of whether they were included on the list of 2016 priorities. While the memo acknowledges the need for flexibility for changes in priorities, there needs to be an expanded description of the process by which, if followed, the State's priority waters can be revised.
PA	Vision	Individual EPA regions cannot interpret the guidelines differently and apply different standards and requirements. Inconsistent application of the Vision document regarding TMDL alternatives will undermine the effort.

PA	Vision	As more documentation of the Revisioning and Prioritization process comes out, it starts to look more like PACE with a different name. It is reasonable to set long-term goals and work toward meeting those goals with resource constraints, but now states are also asked to set annual goals and make two-year commitments that will be analyzed in evaluating progress toward long-term goals. The whole purpose for the 303(d) Re-visioning effort was to find a new and better way to achieve water quality improvement, recognizing available resources. These extra requirements do not help facilitate achievement of that goal.
PA	Vision	It is appreciated that EPA continues to acknowledge the fact that resources are limited, and not getting better anytime soon. However, EPA needs to re-evaluate the reporting and technical requirements in this document to see if a more effective balance between those identified resource constraints and these requirements can be reached.
PA	Vision	We disagree with the criterion for evaluating whether to use an alternative approach over a TMDL Alternative over a TMDL. There are many reasons why an alternative water quality analysis may be best in any given situation, not simply because it will be in place more quickly. That threshold is simply not an appropriate means by which to measure the effectiveness of the tools at our disposal.
PA	Vision	There isn't a reason to require that every impairment listing be tagged with a priority status. Calling any water, regardless of its timeframe for restoration plan development, low priority is not appropriate and in some cases incorrect. For example, there may be some impaired waters that carry a "Cause Unknown" listing, probably because the follow-up surveys and monitoring to identify the sources/causes of impairment are not completed. Identifying these waters as "low priority" is not an accurate assessment and conveys a poor message to the public. There will be a table that identifies the 2-year commitments and the 2016-2022 goals. This should be sufficient.
ID	Vision	First bullet in the box "Required Priority Ranking in CWA 303(d)". Change first bullet to read, "□ Ranking of all listed waters (e.g., high, medium, low priorities) taking into account the severity of the pollution and use"
CT	Vision -	Use of the Integrated Report to communicate on priorities and progress: Thank you for recognizing that not all states plan to use the Integrated Report to share information on 303d Vision activities. We expect that this will be true for Connecticut. The Integrated Report will of necessity include a list of priorities, but supporting documentation will not likely be included within the Integrated Report but rather a separate report which has been subject to review and comment by the public. Note: Appendix A suggests that the rationale for setting priorities will be presented in the Integrated Report. As the body of the IR guidance indicates, the rationale may reside elsewhere and be referenced within the Integrated Report.
MT	Vision - Alternative Approaches	**Alternative Restoration Approaches**: We commented on this in our response to the "Draft memo for 2016 Integrated Report Guidance and Computational Guidance for EPA Water Program Measures WQ-27 & WQ-28" in March of this year. We can resend those if that is desired. The graphic (Figure 1) on page 11 is very effective and captures well what is said in the ~5 pages above. Consider adding a box for Cat 3 – waters defined as AUs that are not assessed or have insufficient data to complete an assessment.
AK	Vision - Alternatives	2. The alternative restoration approach (pages 6-9) described limits the use of this mechanism to instances when actions pursued are expected to attain water quality standards more rapidly than pursing the Total Maximum Daily Load (TMDL) approach. The guidance should be modified to include instances when the alternative restoration approach might also be more effective than completion of a TMDL. Achieving water quality standards when the impairment is a result of non-point source pollution through TMDL implementation is often difficult. Preparation of a TMDL requires significant resources; placing these resources in other processes might be more effective in achieving water quality standards.

MT	Vision - Alternatives	Alternative Goal This portion of the guidance has three subsections that could be combined, reduced, and simplified. Provide in the guidance what it is, what it is not (i.e., 4b), and the steps states should take so it ends up in Cat 5-alt. Montana would engage affected stakeholders and Region 8 colleagues on an alternative approach prior to the IR and have buy-in from all parties before creating the 5-alt listing. We would expect other states would act likewise.
NE	Vision - Alternatives	Nebraska plans to heavily utilize the 5-alt category. I have been working with TJ at Region 7 to have her modelers review our calculations before providing our 319 9-element plan project sponsors the data to incorporate into their plans. TJ is putting together a summary of what Region 7 expects the minimum elements would be in order to be considered 5-alt waterbodies. Based on the draft IR memo it appears that 9-element plans should cover the 5-alt expectations. I have gotten verbal agreements from four project sponsors to incorporate this data however I don't feel comfortable moving forward until I get this document from TJ.
MO	Vision - Alternatives	The department does not agree that an alternative approach will necessarily address a water quality impairment more "rapidly" than a Total Maximum Daily Load (TMDL). Of more importance to states is a demonstration that the alternative may be "more cost-effective and efficient" than a TMDL. Developing TMDLs for a particular impairment or set of impairments can be very costly, complex, and time-consuming; pursuing an alternative restoration approach where WQS can be achieved without a TMDL may very well be the most effective way for states to prioritize their "limited state resources" to address other, perhaps more pressing impairments, ones that are best addressed (or can only be addressed) through development of a TMDL. In addition, the department believes there should be a better way to approach alternatives than the current language that focuses on meeting water quality standards "more rapidly".
IN	Vision - Alternatives	As is the case with Category 4b, there is little incentive from a 303(d) listing perspective for states to pursue a Category 5-alternative listing. Both appear from this and previous guidance to impose as much if not more administrative burden on states than does the development of a TMDL due in large part to the iterative nature of their development and the information they require. Neither is any more enforceable than a TMDL, and in the case of a Category 5-alternative, the water remains on the 303(d) list anyway.
CT	Vision - Alternatives	In the beginning of the section on the use of alternative approaches, the guidance mentions that alternatives may be chosen in situations where an alternative may be more immediately beneficial or practicable to achieve water quality standards that pursing the TMDL approach in the near future." However, the language within the document then changes emphasis to attaining water quality faster. It is likely that alternative, by definition, will lead to water quality restoration or protection more quickly as the time to develop a TMDL will not be included in the schedule. However, the practicality of the alternative approach should not be forgotten. Use of alternatives is about using the right tool to get the job done in an appropriate and efficient manner. Likely this will be quicker than if based first on TMDL issuance but, depending upon the nature of the water quality concern, it still may not be quick. EPA's concurrence on a state's choice to use an alternative should not be limited to a question of speed.

CT	Vision - Alternatives	When a state identifies that an alternative approach will be used for restoration or protection purposes, the state may be proposing a conceptual approach with details to be developed over time. As such, the elements listed on page 7 of the IR guidance are more appropriate for discussion with EPA and the public at the time the alternative is fully developed and proposed. At the time that priorities are identified and the potential for use of an alternative approach is indicated, detailed analysis and information is not likely to be available. The state may be signaling intent to develop an alternative. Showing intent to use an alternative without having the alternative already developed should be recognized within the IR guidance.
CT	Vision - Alternatives	EPA should broadly review the analysis and documentation suggested for alternatives as the level of documentation may not be appropriate for all situations in which an alternative may be considered. Some of the requested information for the use of an alternative seems to go beyond that required for waters with TMDLs or those with 4b designation, for example. States should provide sufficient documentation at appropriate times within the adaptive management process to indicate what actions are being taken to what end. It would seem, conceptually, that the level of documentation to identify either that a water body will be the subject or an alternative or that an alternative has been developed would be less onerous than TMDL or 4b requirements as either the waterbody is not impaired (i.e. the alternative is for protection and the water is not in category 5) or if the waterbody is impaired, it remains in category 5 until such time as water quality is attained or a TMDL established. There needs to be accountability and transparency to EPA and the public, but the communication should be tailored to fit the situation at hand and not prescriptively required.
CT	Vision - Alternatives	For anything other than simple situations, it may not be possible to identify when WQS will be met. That is not a requirement for 4B or for waterbodies for which a TMDL is established. This is an example where the use of an alternative, which was meant to be a practical means to restore or protect water quality, is more difficult to implement than a TMDL or 4B approach. That seems contrary to the purpose of allowing an alternative approach and could actively discourage the use of alternatives.
CT	Vision - Priorities	Ability to adjust priorities over time: We appreciate the ability to adjust priorities over time, if needed. Also, the suggestion to use WQ-28 is helpful, depending upon the circumstances which dictate the need to adjust priorities.
MT	Vision - Section 1	Section 1 - Implementation of the Clean Water Act 303(d) Program Vision The Program Vision has been out for a long time now with numerous meetings and conference calls. It seems that everyone by now should know what it is and how they need to proceed. If not, there are other documents you and others have developed that provide detail. For the IR guidance, we recommend keeping simply to what is expected in the IR with references to the other documentation where and if needed.
CT	Vision - Subcategory 5	The opportunity to identify waters for which alternative are established in a subcategory may be helpful. We appreciate that EPA is considering allowing states to use this subcategory to identify the intent to use an alternative. Is the use of the 5-alt subcategory mandatory? Depending upon the redesign of the ADB and ATTAINS, it may be more or less easy to manage subcategories of waters. Does a state have the ability to refrain from using subcategories if they choose not to?

CT	Vision - Subcategory 5	On page 9, there seems to be a conflict between the last two paragraphs in the section on creating a subcategory within Category 5. One paragraph indicates that “EPA will not take action to approve or disapprove a State’s alternative restoration approach under 303(d)” while the other paragraph indicates that “EPA will take into account a State’s description of its alternative restoration approach to determine whether EPA believes it is appropriate for such waters to be in subcategory 5-alternaitve and whether to report such approaches under the EPA CWA 303d program measures.” One suggests that States have the independent ability to establish alternatives and the other suggests that alternatives are subject to EPA approval. If a state proposes and implements and alternative as a priority commitment, it would seem that if the State did what it said it would do, then the alternative approach should be recognized under 303d program measures. The water body is still subject to adaptive management changes, as are waters with TMDLs, but unless the alternative is for protection, the waterbody remains within Category 5 and subject to EPA oversight.
MD	ATTAINS - 106	On page 15, the last sentence of section 4. states "For State water quality impairment data to be used...." Does this sentence mean that states will have to input all their info into ATTAINS? Or will EPA's contractors being doing this? The reason I ask is that Maryland doesn't currently use an EPA-supported system (e.g. ADB) and is unlikely to in the near future due to irreconcilable differences in how we divide up our assessment units and staffing shortages as well.
MD	Category 4C	on page 18, where it talks about Category 4C, I would recommend you add some language that recognizes that flow limitations can be natural in headwater streams, karst areas, etc. I agree with much that is said here, however, it is difficult in some places to determine whether high or low flows are the result of anthropogenic or natural stressors.